

Chevy Chase Village Board of Managers' Meeting

June 8, 2015

Note: These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance.

BOARD OF MANAGERS

Michael L. Denger, Chair	Absent
Elissa A. Leonard, Vice Chair	Present
Richard M. Ruda, Secretary	Present
David L. Winstead, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Robert C. Goodwin, Jr., Assistant Treasurer	Present
Minh Le, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Chief of Police	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting & Code Enforcement Coordinator	Present
Melissa Wiak, Community Liaison/Administrative Assistant	Present

COUNSEL

Suellen M. Ferguson, Village Counsel	Present
--------------------------------------	---------

In Mr. Denger's absence, Ms. Elissa Leonard called the meeting to order at 7:31 p.m.

Ms. Leonard stated that the Village Board had met in closed session prior to the regular meeting pursuant to Section 3-305(b)(1) of the General Provisions Article to discuss personnel matters. Mr. Denger (by phone), Ms. Leonard, Mr. Crockett, Mr. Goodwin, Mr. Ruda, Mr. Winstead, Ms. Le (Board Member-elect) were in attendance along with Ms. Davis-Cook, Ms. Ferguson and Election Supervisors Chair Ms. Charlotte Jones Carroll. No action was taken by the Board during its closed session.

Oath of Office Ceremony

Ms. Barbara H. Meiklejohn, Clerk of the Circuit Court for Montgomery County, administered the Oath of Office to Mr. Gary Crockett, Mr. David Winstead, Mr. Richard Ruda and Ms. Minh Le.

Election of Officers

Ms. Le moved to elect Michael L. Denger as Chairman of the Board of Managers. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Mr. Goodwin moved to elect Elissa A. Leonard as Vice Chair of the Board of Managers. Ms. Le seconded the motion. Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Mr. Winstead moved to elect Richard M. Ruda as Secretary of the Board of Managers. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Mr. Ruda moved to elect David L. Winstead as Assistant Secretary of the Board of Managers. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Mr. Ruda moved to elect Gary Crockett as Treasurer of the Board of Managers. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Mr. Crockett moved to elect Robert C. Goodwin, Jr. as Assistant Treasurer of the Board of Managers. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, and Ms. Le voted in favor of the motion. The motion passed

Approval of Minutes from the Board's Executive Session held on May 11, 2015

Minutes of the Board's executive session held on May 11, 2015 were circulated to the Board prior to the meeting.

Mr. Winstead moved to approve the minutes of the Board of Managers' executive session held on May 11, 2015, as drafted. Mr. Crockett seconded the motion. Mr. Ruda, Mr. Winstead, Mr. Crockett and Mr. Goodwin voted in favor of the motion. The motion passed.

Approval of Minutes from the Board's Regular Meeting held on May 11, 2015

Minutes of the Board's regular meeting held on May 11, 2015 were circulated to the Board prior to the meeting.

Mr. Ruda moved to approve the minutes of the Board of Managers' regular monthly meeting held on May 11, 2015, as drafted. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett and Mr. Goodwin voted in favor of the motion. The motion passed.

Public Hearing: Park Refurbishment for the Northwest Corner of the Large Oliver Street Park in Honor of Robert H. Elliott

The Board considered audience comments regarding the proposed plan to develop the west corner of the Large Oliver Street Park and to dedicate the new garden in memory of former Tree Committee Chair, Mr. Robert Elliott. The park refurbishment plan was circulated to Board Members and posted to the Village website prior to the meeting.

Mr. Crockett moved to abandon the current park refurbishment plan as it pertains to the proposed terrace and seating and to direct staff to work with landscape architect Lila Fendrick to revise the plan. Mr. Winstead seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Variance & Special Permit Requests

A-6741 (Special Permit Request) Mr. and Mrs. Joshua T. Brady, 5611 Kirkside Drive

Maintain two (2) structures along either side of a riser and walkway that were installed in the Kirkside Drive public right-of-way. Supporting materials, including a Staff Information Report, for this case were circulated to the Board and posted to the Village website prior to the meeting.

Mr. Brady was in attendance and requested that the matter be continued to allow him to work with Village staff to determine an acceptable distance from the roadway for the structures to be modified to eliminate the public safety concerns discussed during the hearing.

Mr. Ruda moved to approve the applicant's continuance request, provided the matter is brought back to the Board at its July 13, 2015 regular meeting for consideration. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Winstead and Ms. Le voted in favor of the motion. The motion passed. The Board further directed staff to install "reflectors" in the public right-of-way adjacent to the structures to warn the public of the hazard.

A-6742 (Variance Request) Mr. and Mrs. Thomas S. Dann, 27 West Kirke Street

Install a wood fence measuring a maximum of six (6) feet in height forward of the twenty-five (25) front (Magnolia Parkway) building restriction line. Supporting materials, including a Staff Information Report, for this case were circulated to the Board and posted to the Village website prior to the meeting.

Mr. Crockett moved to approve the Special Permit request in Case A-6742 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates the applicable requirements for approval of the Special Permit have been met. Staff is directed to draft a decision based on this evidence, including findings of fact and conclusions approving the Special Permit request. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Winstead and Ms. Le voted in favor of the motion. The motion passed.

A-6743 (Special Permit Request) Mr. and Mrs. Thomas S. Dann, 27 West Kirke Street

Install two (2) wood fence panels, one on either side of the existing wood posts located in the West Kirke Street public right-of-way. The proposed panels would each measure six (6) feet in length and a maximum of four (4) feet in height and would be located two (2) feet from the inside (north) edge of the public sidewalk. Supporting materials, including a Staff Information Report, for this case were circulated to the Board and posted to the Village website prior to the meeting.

Mr. Crockett moved to approve the variance request in Case A-6743 on the basis that the evidence presented, including the Staff Report and Case Synopsis, demonstrates the applicable requirements for approval of the Special Permit have been met. Staff is directed to draft a

decision based on this evidence, including findings of fact and conclusions approving the Special Permit request. Ms. Leonard seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board and posted to the Village website prior to the meeting. No action was taken by the Board.

Matters Presented for Board Discussion and Possible Action

- **Follow-up Report on the Village Hall Landscaping**

Ms. Davis-Cook provided an update on the follow-up report on the Village Hall Landscaping. A written report and copies of the proposed plan were circulated to the Board and posted to the Village website prior to the meeting.

Mr. Crockett moved to approve the landscape plan for the Village Hall (as revised, dated June 6, 2015) and not including the Connecticut Avenue frontage, which will be implemented in autumn of 2015, subject to budget appropriation in the FY2016 operating budget. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Proposed Bethesda Downtown Plan including the rezoning of the Bethesda Fire Station Property (southwest corner of Wisconsin Avenue and Bradley Lane)**

A report generated by former Board Vice-Chair, Ms. Patricia Baptiste, along with a draft letter addressed to the Montgomery County Planning Board regarding the proposed Bethesda Downtown Plan was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Ruda moved to approve the letter, with the following amendment:

- Delete the words "of the residents" in the first line of the letter.

Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Memorandum of Understanding with the Washington Suburban Sanitary Commission (WSSC) for Laurel Park sewer rehabilitation work**

A staff report including the draft Memorandum of Understanding was circulated to the Board prior to the meeting.

Mr. Crockett moved to authorize the Village Manager to enter into an agreement with the Washington Suburban Sanitary Commission (WSSC) for the sewer rehabilitation work located in Laurel Park. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Resolution No. 06-01-15: An Ordinance to amend the fiscal year 2015 budget to transfer \$6,000.00 from the "Police, Operations" line item in the operating budget to the

“Communications, Personnel” line item in the operating budget to fund increased Communications Center Personnel expenses. A staff report including the Resolution was circulated to the Board prior to the meeting.

Mr. Crockett moved to approve Resolution No. 06-01-15, as drafted to amend the fiscal year 2015 budget to transfer \$6,000.00 from the “Police, Operations” line item in the operating budget to the “Communications, Personnel” line item in the operating budget to fund increased Communications Center Personnel expenses. Mr. Ruda seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Contract Authorization Requests

- **Professional Services Contract for Consulting Landscape Architect: *Lila Fendrick Landscape Architecture & Garden Design***

A staff report including the draft contract was circulated to the Board prior to the meeting.

Mr. Goodwin moved to authorize the Village Manager to enter into a contract, in substantially the form provided, with Lila Fendrick Landscape Architecture & Garden Design for the performance of landscape architecture and design services within Chevy Chase Village for a term of one (1) year. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Refuse & Recycling: *Unity Disposal & Recycling, LLC***

A staff report including the draft contract was circulated to the Board prior to the meeting.

Mr. Crockett moved to authorize the Village Manager to enter into a contract, in substantially the form provided, with Unity Disposal & Recycling, LLC for the performance of refuse and recycling collection services for an initial term of three (3) years with the option to extend the contract for up to two (2) additional one (1) year terms. Mr. Ruda seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Purchase Authorization Requests

- **Replacement Public Works Pick-Up Truck: *Criswell Chevrolet***

A staff report regarding the proposed purchase was circulated to the Board and posted to the Village website prior to the meeting.

Mr. Winstead moved to authorize the Village Manager to purchase one (1) fully outfitted 2015 Chevrolet 2500HD 4WD Pick-up Truck under Montgomery County contract #1022192 (for pricing only), in the amount of \$42,646.54 subject to appropriations of funds as of July 1, 2015. Mr. Ruda seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Replacement Leaf Vacuum: *Old Dominion Brush Company***

A staff report regarding the proposed purchase was circulated to the Board and posted to the Village website prior to the meeting.

Ms. Le moved to authorize the Village Manager to purchase one 2015 vacuum lead collector under National Joint Powers Alliance Contract #060612-ODB (for pricing only), in the amount of \$27,729.50 subject to appropriations of funds as of July 1, 2015. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Board Appointments

- Board Appointment of a Member to Serve as Building Officer

Mr. Ruda moved to appoint Mr. Crockett to serve as Building Officer. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

- **Board Representatives & Liaisons to Standing Committees**

The following proposed list of Board representatives/contacts was circulated to the Board and posted to the Village website prior to the meeting:

<u>Ad hoc/Single Purpose Committee</u>	<u>Tentative Board Representative</u>
Charter Revision Committee	Robert C. Goodwin, Jr.

<u>Committees Subject to Board Appointment</u>	<u>Board Representative</u>
Community Relations	Minh Le
Financial Review	Gary Crockett
Public Safety	Richard M. Ruda
Traffic	Robert C. Goodwin, Jr.
Trees	Michael L. Denger

<u>Committee NOT Subject to Board Appointment</u>	<u>Board Contact</u>
Environment & Energy	Gary Crockett
Parks & Greenspaces	Elissa Leonard
Senior Committee	Minh Le

Mr. Goodwin moved to approve the listing of Board representatives and contacts to Village committees, as drafted. Mr. Crockett seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Elections Supervisors

- Appoint Nancy Wilkinson (Park Street) to complete the term vacated by a former member, ending July 2017.

Ms. Le moved to appoint Nancy Wilkinson (Park Street) as a member of the Election Supervisors to complete the term vacated by a former member, ending July 2017. Mr. Ruda seconded the

motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Tree Ordinance Board

- Appoint Michael Holland (Oliver Street) as a member for a three-year term, ending April 2018.

Mr. Ruda moved to appoint Michael Holland (Oliver Street) as a member of the Tree Ordinance Board for a three-year term, ending April 2018. Ms. Le seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed.

Police Report

The Police Report was distributed to the Board and posted to the Village website prior to the meeting. Discussion followed. No action was taken by the Board.

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. No action was taken by the Board.

Staff provided an update regarding resident enrollment in the Village's Composting Program pilot, which is slated to begin on June 22. The Board directed staff to send a direct mailer to all residents further advertising the new program.

Adjournment

Mr. Ruda moved to adjourn the meeting. Mr. Goodwin seconded the motion. Ms. Leonard, Mr. Ruda, Mr. Winstead, Mr. Crockett, Mr. Goodwin and Ms. Le voted in favor of the motion. The motion passed. The meeting adjourned at 9:40 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.